



# Northeastern Catholic District School Board

## CRIMINAL BACKGROUND CHECKS AND OFFENCE DECLARATIONS

**Policy Number: P-5**

**Authority: 03-213/04-196/15-28/18-90/21-49/24-77**

### POLICY STATEMENT

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The Northeastern Catholic District School Board (NCDSB) is committed to providing a safe and secure learning and working environment for students and employees in accordance with the *Education Act*. The NCDSB is in a position of trust with regards to students, and must strive to protect their intellectual, spiritual, physical, mental and emotional well-being. The NCDSB will not employ, continue to employ, contract, or continue to contract service providers who have criminal records and/or patterns of behaviour that may place students at risk.

### REFERENCES

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Ontario Regulation 521/01 Collection of Personal Information, as amended by Regulation 323/03  
*Police Record Checks Reform Act, 2015*

NCDSB Policy

P-9 Recruitment and Selection

E-31 Volunteers in Schools

NCDSB Administrative Procedure

APP005 Criminal Background Checks and Offence Declarations

### DEFINITIONS

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#### **Criminal Background Check**

A document concerning an individual which is prepared by a police force or service from national data on the Canadian Police Information Centre (CPIC) database within six months before the day the Board collects the document and contains information concerning the individual's personal criminal history.

#### **Offence Declaration**

A written declaration signed by an individual listing all the individual's convictions, warrants and charges that are not included in the criminal background check or the last Offence Declaration collected at the time of hire and for which a pardon has not been issued or granted.

#### **Personal Criminal History**

Information on criminal offences of which the individual has been convicted under the Criminal Records Act (Canada) and for which a pardon under Section 4.1 of the Criminal Records Act (Canada) has not been issued or granted to the individual.

#### **Service Provider**

An individual who is not an employee of the Board and who comes in direct contact with students on a regular basis in their position to provide goods or service under contract with the NCDSB.

## **Vulnerable Sector Screening**

A document concerning an individual that:

- a) Is prepared by a police force or service from national data on the Canadian Police Information Centre (CPIC) database and from local police service records, within six months before the day the Board collects the document; and
- b) Contains information concerning the individual's personal criminal history; and
- c) Contains information resulting from a criminal record search of data maintained by the Royal Canadian Mounted Police for sexual offences for which a pardon has been granted or issued.

## **POLICY REGULATIONS**

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### **1.0 EMPLOYEES**

- 1.1 All new employees will provide a Criminal Background Check in accordance with Regulation 521/01.
- 1.2 All offers of employment with the NCDSB shall be conditional upon the applicant supplying an acceptable Criminal Background Check.
- 1.3 All new employees will be required to provide, at their own expense, an original Vulnerable Sector Screening Check prior to commencing employment.
- 1.4 The NCDSB shall collect an Offence Declaration from each employee by September 1 every school year thereafter.

### **2.0 SERVICE PROVIDERS**

- 2.1 All service providers who come into direct contact with students on a regular basis shall provide, at their own expense, a Criminal Background Check with vulnerable sector screening prior to commencing work or service, in accordance with Regulation 521/01.
- 2.2 All service providers who come into direct contact with students on a regular basis shall provide an Offence Declaration in a Board approved form on or before the first day of work or service each year thereafter.
- 2.3 All contracts and tenders will state that employees on site during regular school hours require proof of criminal background check documentation.
- 2.4 Contractors working in a school with no direct contact with students are not required to have a vulnerable sector screening but must have a criminal background check before any work is to commence in the schools.

### **3.0 VOLUNTEERS AND OTHERS HAVING DIRECT AND REGULAR CONTACT WITH STUDENTS**

- 3.1 All volunteers who come in direct contact with students on a regular basis are expected to provide a Vulnerable Sector Screening Check conducted by the local police force, the Ontario Provincial Police Force or a Ministry approved Third Party provider as well as an Offence Declaration thereafter.
- 3.2 The cost of the Vulnerable Sector Screening Check is at the expense of the volunteer or others having direct and regular contact with students, however the Principal has the discretion to assume the cost when deemed appropriate.
- 3.3 Once a Vulnerable Sector Screen has been provided, the volunteer will complete an Annual Offence Declaration in every subsequent school year.